

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

HEALTH COALITION, INC.,)
)
Plaintiff,)
)
v.)
)
NEW ENGLAND ALLERGY ASTHMA)
IMMUNOLOGY & PRIMARY CARE,)
P.C. and THOMAS F. JOHNSON,)
Individually)
)
Defendants.)
)

Civil Action No. 05-cv-11816 MEL

~~[REDACTED]~~ ORDER

HAVING CONSIDERED all relevant submissions in connection with Plaintiff Health Coalition, Inc.'s Renewed Motion to Enforce Settlement Agreement (Docket No. 304), it is hereby ORDERED that:

1) The Settlement Agreement by and between Plaintiffs Health Coalition, Inc. ("HCI") and Defendants New England Allergy Asthma Immunology & Primary Care, P.C. and Thomas F. Johnson shall be entered as an Order of the Court.

2) Defendants New England Allergy Asthma Immunology & Primary Care, P.C. and Thomas F. Johnson shall ^{use its best efforts to} provide plaintiff HCI with the information and/or documents listed below, no later than Jan 31, 2007:

- Insurance information
 - A copy of the insurance policy (or policies) with all riders;
 - Documents evidencing that HCI is listed as the owner and the primary beneficiary of the policy;

- Confirmation that HCI will be provided with notice of non-payment of any premium owed and notice of intent to terminate; and
- Waivers from other beneficiaries.

- Control Agreement

- Formal written documentation from TD BankNorth to HCI confirming that TD BankNorth will not execute a control agreement for Defendants and HCI, or Defendants and any of their creditors.

3) Defendants shall perform under the Settlement Agreement, including without limitation, by providing documents and/or information necessary to comply with the settlement with HCI, and by executing the appropriate documents to effect the settlement between HCI and Defendants.

4) Defendants New England Allergy Asthma Immunology & Primary Care, P.C. and Thomas F. Johnson shall pay HCI for all costs associated with its efforts to obtain the above-referenced documentation, including but not limited to all attorneys' fees and costs incurred in connection with the Renewed Motion to Enforce the Settlement.

IT IS SO ORDERED

Dated: Jan 17, 2007

Morris E. Lasker
 Judge Morris E. Lasker
 United States District Court Judge